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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

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)	MDL No. 2669
IN RE: ASHLEY MADISON CUSTOMER)	
DATA SECURITY BREACH LITIGATION)	Case No. 4:15-MD-2669-JAR
)	

DECLARATION OF IAN M. DUMAIN

- 1. I am an attorney licensed to practice law in the State of New York. I am also a member of the bars of the United States District Courts for the District of Connecticut, and the Eastern, Northern, and Southern Districts of New York, as well as the United States Courts of Appeals for the Second and Ninth Circuits.
- 2. I am a partner in the law firm of Boies, Schiller & Flexner LLP, counsel for Defendant Noel Biderman in this case.
- 3. I submit this declaration in support of Noel Biderman's Motion to Dismiss or Stay and to Compel Arbitration. This declaration is based on my own knowledge, which I gained in the course of my firm's representation of Mr. Biderman.
- 4. Attached to this declaration as Exhibit A is a true and correct copy of Plaintiffs' First Set of Interrogatories to Defendants.
- 5. Attached to this declaration as Exhibit B is a true and correct excerpt of Avid Dating Life Inc.'s and Avid Life Media Inc.'s Responses and Objections to Plaintiffs' First Set of Interrogatories to Defendants, which has been redacted to protect confidential information.
- 6. Attached to this declaration as Exhibit C is a true and correct copy of the Ashley Madison Terms and Conditions as of March 17, 2011. Avid Dating Life and Avid Life Media (collectively, "Avid") produced this document, which bears the production numbers AVID

00000076-82.

- 7. Attached to this declaration as Exhibit D is a true and correct copy of the Ashley Madison Terms and Conditions as of April 18, 2013. Avid produced this document, which bears the production numbers AVID 00000169-80.
- 8. Attached to this declaration as Exhibit E are true and correct copies of the foreign legal authorities cited in the Memorandum of Law in Support of Noel Biderman's Motion to Dismiss or Stay and Compel Arbitration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 29, 2016

Armonk, New York

Ian M. Dumain